

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/20/19

IN RE APPLICATION OF SHERVIN  
PISHEVAR FOR AN ORDER TO TAKE  
DISCOVERY FOR USE IN FOREIGN  
PROCEEDINGS PURSUANT TO 28 U.S.C.  
§ 1782

Case No. 19-MC-503-RA

**MOTION FOR LEAVE TO FILE  
BRIEF OF AMICI CURIAE  
REPORTERS COMMITTEE FOR  
FREEDOM OF THE PRESS AND  
MEDIA LEGAL DEFENCE  
INITIATIVE**

The Reporters Committee for Freedom of the Press and Media Legal Defence Initiative respectfully move this Court for leave to file the accompanying brief as amici curiae in support of Respondent Marcus Baram's opposition to the application of Shervin Pischevar for an order to take discovery for use in foreign proceedings pursuant to 28 U.S.C. § 1782 ("Section 1782"). Respondent Baram consents to this motion. Applicant Pischevar takes no position on this motion, but has indicated that he would like to submit a response to the amici brief by January 7, 2020. Amici do not object to Applicant filing a response.

The accompanying brief seeks to highlight for the Court the importance of source confidentiality in newsgathering activities and explain why this Court should not permit discovery under Section 1782 to force a reporter to disclose the identity of a confidential source. As representatives of and advocates for the news media, amici have a strong interest in protecting the First Amendment freedom of the press, and are concerned that the use of Section 1782 discovery in circumvention of well-established legal protections for reporters' sources will chill newsgathering and restrict the free flow of information to the public.

Accordingly, amici respectfully request that the Court grant this motion and accept the accompanying brief for its consideration. *See, e.g., Picard v. Greiff*, 797 F. Supp. 2d 451, 452

(S.D.N.Y. 2011) (“It is well-established that a district court has broad discretion to grant or deny an appearance as *amicus curiae* in a given case.” (citation omitted)).

Dated: December 19, 2019

Respectfully submitted,

/s/ Katie Townsend

Katie Townsend

THE REPORTERS COMMITTEE FOR

FREEDOM OF THE PRESS

1156 15th St. NW, Suite 1020

Washington, D.C. 20005

Telephone: (202) 795-9300

Facsimile: (202) 795-9310

[ktownsend@rcfp.org](mailto:ktownsend@rcfp.org)

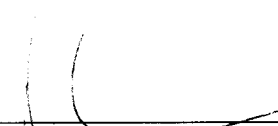
*Counsel of Record for Amici Curiae*

Application granted.

The Court grants the request to file a brief of *amicus curiae* in support of Respondent Marcus Baram.

Applicant may file a response by January 7, 2020.

SO ORDERED.

  
\_\_\_\_\_  
Ronnie Abrams, U.S.D.J.

December 20, 2019